

1731

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: P.U. ACERBI

Appln. No. 09/991,905

Date Filed: November 26, 2001

For: PLANT FOR FORMING LARGE DIMENSION CERAMIC TILE

Art Unit: 1731

Examiner: A.C. Fiorilla

Washington, D.C.

Atty.'s Docket: ACERBI=1

Date: September 22, 2003

Confirmation No. 7531

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Non-Fee Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] REPLY TO RESTRICTION REQUIREMENT the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] Applicant claims small entity status. See 37 C.F.R. §1.27.

[XX] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	
INDEP.	*	MINUS	*** 3	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
	\$

OR

OR

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number, of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 205.00
- [ ] Third - \$ 465.00
- [ ] Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [ ] First - \$ 110.00
- [ ] Second - \$ 410.00
- [ ] Third - \$ 930.00
- [ ] Fourth - \$ 1450.00

Month After Time Period Set

[ ] Less fees (\$ ) already paid for month(s) extension of time on .

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ .

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: ACERBI=1

In re Application of:	)	Art Unit: 1731
	)	
Pier U. ACERBI	)	Examiner: A. C. Fiorilla
	)	
Appln. No.: 09/991,905	)	Washington, D.C.
	)	
Filed: November 26, 2001	)	Confirmation No. 7531
	)	
For: PLANT FOR FORMING LARGE-	)	September 22, 2003
DIMENSION CERAMIC TILES...	)	

REPLY TO RESTRICTION REQUIREMENT

Customer Window, Mail Stop Non-Fee Amendment  
Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Replying to the restriction requirement Office  
Action mailed September 9, 2003, applicants hereby  
respectfully and provisionally elect Group I directed to the  
method, presently claims 1-4, with traverse and without  
prejudice.

Applicants' traversal is based on the second  
paragraph of MPEP 803 which requires examination of an entire  
application, even though the requirement is correct, if such  
an entire examination of the application can be effected  
without "serious burden". Applicants believe that the method  
and apparatus are sufficiently similar, and the claims are

sufficiently few, so that the non-elected apparatus can be examined along with the elected method. Applicants believe that a complete search of the method will also require a search of the site of the apparatus, namely Class 425, subclass 90.

Accordingly, applicants respectfully request withdrawal of the requirement and examination of all the claims on the merits.

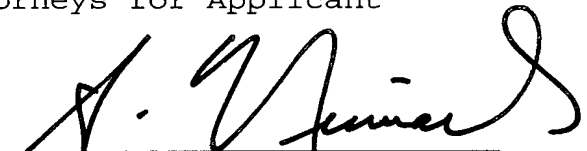
Applicants have claimed priority from their corresponding application filed in Italy, and have filed a certified copy of same. Accordingly, applicants request the PTO to acknowledge receipt of applicants' papers filed under Section 119.

Applicants respectfully await the results of a first examination on the merits.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By



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